

REMARKS

The current status of the claims remains unchanged.

Applicant amends this application to declare the applications to which the applicants claim the benefit of priority in this application. The applicant states that above-identified application is a continuation of application No. 09/800,252, filed Mar. 6, 2001, currently pending; which is a divisional of application No. 09/211,030 filed Dec. 14, 1998, now issued as U.S. Patent No. 6,263,795; which is a continuation of application No. 09/094,991, filed Jun. 15, 1998, now issued as U.S. Patent No. 6,849,124; which is a continuation of application No. 08/431,932, filed May 1, 1995, now abandoned, to which priority under 35 U.S.C. § 120 is claimed.

An alleged continuation application should be permitted to claim the benefit of the filing date of an earlier nonprovisional application if:

A) the first application and the alleged continuation application were filed with at least one common inventor;

B) the alleged continuation-in-part application was "filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application"; and

C) the alleged continuation-in-part application "contains or is amended to contain a specific reference to the earlier filed application."

See 35 U.S.C. 120.

Here:

A) Application Serial No. 09/800,252; 09/211,030; 09/094,991; 08/431,932; and this continuation application share the same inventors;

B) Application Serial No. 09/800,252 is currently pending; and

C) this application is amended to contain a specific reference to the earlier filed applications.

This amendment and claim to the benefit of the prior application is made during the pendency of the application but is not made within the later of four months from the actual filing

date of the application or sixteen months from the filing date of the prior application as provided by 37 CFR 1.78(a)(2). Accordingly, since the reference to priority required is not submitted within that time period, a petition for an unintentionally delayed claim is also filed. That petition is accompanied by:

- (A) the reference required to the prior application (submitted by the amendment herewith);
- (B) the surcharge under 37 CFR 1.17(t) of \$1,370.00; and
- (C) a statement that the entire delay between the date the claim was due and the date the claim was filed was unintentional.

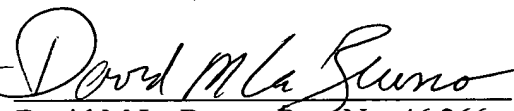
See 37 CFR 1.78(a)(3).

Conclusion

The applicant respectfully requests that the petition for an unintentionally delayed priority claim be granted and this amendment entered. In the event that a telephone conference would facilitate examination in any way, the Examiner is invited to contact the undersigned representative at the number provided.

Respectfully submitted,

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